

1 David C. Parisi (162248)
2 Suzanne Havens Beckman (188814)
3 PARISI & HAVENS LLP
4 212 Marine Street, Suite 100
5 Santa Monica, California 90405
(818) 990-1299 (telephone)
(818) 501-7852 (facsimile)
dcparsi@parisihavens.com
shavens@parisihavens.com

6 Ethan Preston (263295)
7 PRESTON LAW OFFICES
8 4054 McKinney Avenue, Suite 310
9 Dallas, Texas 75204
9 (972) 564-8340 (telephone)
9 (866) 509-1197 (facsimile)
9 ep@eplaw.us

10 | *Attorneys for Plaintiff John Lofton, on his own behalf, and behalf of all others similarly situated*

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

13 JOHN LOFTON, an individual, on his own
14 behalf and on behalf of all others similarly
situated.

No. C 13-05665 YGR

The Honorable Jacqueline Scott Corley

15 Plaintiff,
16 v.
17 VERIZON WIRELESS (VAW) LLC, and
DOES 1-100, inclusive

APPENDIX FOR PLAINTIFF JOHN LOFTON'S MOTION TO COMPEL

Date: May 7, 2015
Time: 9:00 a.m.
Location: Courtroom F
Phillip Burton Federal Building
450 Golden Gate Avenue
San Francisco, California 94102

SECTION I OF APPENDIX TO LOFTON'S MOTION TO COMPEL

Section I of this Appendix provides a brief summary of the discovery requests at issue in Plaintiff John Lofton’s (“Lofton”) attached Motion to Compel for the Court’s convenience.

Interrogatory No. 21 Class discovery identifying outgoing telephone calls made by Verizon and its debt collectors; analogous to RPD No. 48

Request for Admission (RTAs) Nos. 56-67, 76-97 Admissions regarding the ability of different debt collectors to produce call logs with different categories of data

RTAs Nos. 98-103 Admissions regarding Verizon's ability to produce call logs with different categories of data

RTAs Nos. 104-106 Admissions regarding whether Verizon's counsel knew that Verizon debt collectors could produce call logs

RTAs Nos. 107-109 Admissions regarding whether Verizon knew that Verizon debt collectors could produce call logs

Request for Production of Documents (RPD) No. 45 Recordings of calls made to class members

RPD No. 48 Class discovery identifying outgoing telephone calls made by Verizon and its debt collectors; analogous to Interrogatory No. 21

RPD No. 49-50 Documents supporting Verizon's contentions that its debt collectors' dialers do not trigger liability under the TCPA

RPD No. 53-54 Documents which Verizon should produce under Rule 26(a)(1)

RPD No. 56-58 Documents related to the creation of EOS491-95, which may be relevant to sanctions and/or tend to undermine Verizon's arguments about the feasibility of class discovery

RPD No. 60 Documents which support Verizon's argument that Invasion of Privacy Act class members cannot be identified because it is not certain whether such class members were in California at the time of the relevant call

RPD No. 62 Documents regarding Verizon's termination of Collecto

SECTION II OF APPENDIX TO LOFTON'S MOTION TO COMPEL

Section II of this Appendix provides list of the boilerplate objections addressed in the attached Motion to Compel, cross-referenced by the discovery responses in which Defendant Verizon (VAW) Wireless, LLC (“Verizon”) made such objection.

Attorney-Client Privilege and/or Work Product: RTAs Nos. 104-106, 107-109, RPDs No. 62, 63, 64

Compound: Interrogatory No. 21; RTAs Nos. 56-67, 76-97, 98-103, 104-106

Confidential and Proprietary: RPD No. 49-50, 53-54, 56-58, 60, 62

Irrelevant: Interrogatory No. 21; RTAs Nos. 98-103, 104-106, 107-109; RPD No. 45, 49-50, 53-54, 56-58, 60, 62, 63

Overbroad and Unduly Burdensome: Interrogatory No. 21; RPD No. 45, 49-50, 53-54, 56-58, 60, 62, 63

Out of Verizon's Control: Interrogatory No. 21; RTAs Nos. 56-67, 76-97, 98-103, 104; RPD No. 45, 49-50, 56-58, 62, 63

Premature: RPD No. 54

Privacy: Interrogatory No. 21; RPD No. 45, 53-54, 56-58, 60, 63

Statute of Limitations: Interrogatory No. 21; RPD No. 49-50

Vague and/or Ambiguous: Interrogatory No. 21; RTAs Nos. 56-674, 76-97, 98-103, 104-106, 107-109; RPD No. 49

SECTION III OF APPENDIX TO LOFTON'S MOTION TO COMPEL

Section III of this Appendix provides the text of each of Lofton's discovery requests at issue, with a complete response by Verizon, and a brief statement regarding the relevance of the discovery request and/or Lofton's need for the requested discovery.

PLAINTIFF JOHN LOFTON'S INTERROGATORY NO. 21:

6	REQUEST	RESPONSE	RELEVANCE
7	For each telephone call		
8	made by Verizon's debt		
9	collectors while		
10	collecting the unpaid		
11	balance of a Verizon		
12	account from June 2008		
13	to the present, state all		
14	of the following		
15	information:		
16	a. the telephone		
17	number called;		
18	b. the date and time		
19	of the telephone		
20	call;		
21	c. the dialer used to		
22	make the call;		
23	d. the mode or		
24	method the dialer		
25	used to make the		
26	call (i.e., full		
27	predictive dialing,		
28	manual dialing, or		
1	One-Click		
2	dialing);		
3	e. the identity of the		
4	employee, agent,		
5	and/or user who		
6	was responsible		
7	for the call;		
8	f. whether the call		
9	connected (i.e.,		
10	whether the		
11	recipient telephone		
12	number was		
13	disconnected);		
14	g. whether the call		
15	was answered by a		
16	live person;		
17	h. whether the call		
18	was recorded; and		
19	i. whether the debt		
20	collector identified		
21	the recipient		

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	telephone number as a "bad" or "wrong" number. Cedar Falls, IA 50613; Convergent Outsourcing, Inc., 800 SW 39th Street, Renton, WA 98055. Third-party-vendor GC Services called Verizon Wireless customers whose payments were late, before their telephone numbers were disconnected. All of GC's calls were to customers' telephone phone numbers, and none of those calls were made to telephone numbers that were obtained through skip tracing. To the extent that this request seeks records pertaining to GC Services, it seeks irrelevant information that is not reasonably calculated to lead to the discovery of admissible evidence, it is overly broad, and it is unduly burdensome.	RELEVANCE
PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 56:		

REQUEST	RESPONSE	RELEVANCE
Collecto can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, and telephone number dialed.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 57:		

REQUEST	RESPONSE	RELEVANCE
Collecto can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and the mode or method in which the dialer made the call (i.e., full predictive dialing,	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28
PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 58:		
REQUEST	RESPONSE	RELEVANCE
Collecto can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and identity of the employee, agent, and/or user who was responsible for the call.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant..	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 59:		
REQUEST	RESPONSE	RELEVANCE
Collecto can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call connected (i.e., whether the recipient telephone number was disconnected).	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 60:		
REQUEST	RESPONSE	RELEVANCE
Collecto can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take

REQUEST	RESPONSE	RELEVANCE
1 list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	2 3 4 5 6	discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).
PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 61:		
7 REQUEST	RESPONSE	RELEVANCE
8 Collecto can produce a 9 list of outgoing 10 telephone calls made while collecting the 11 unpaid balance of a Verizon account which list includes the time, 12 date, telephone number dialed, and whether the 13 call was answered by a live person.	14 15 16 Defendant incorporates its General 17 Objections. Defendant further objects on the 18 ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).
PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 62:		
17 REQUEST	RESPONSE	RELEVANCE
18 Convergent 19 Outsourcing, Inc. can produce a list of 20 outgoing telephone calls made while collecting 21 the unpaid balance of a Verizon account which list includes the time, 22 date, and telephone 23 number dialed.	24 25 26 Defendant incorporates its General 27 Objections. Defendant further objects on the 28 ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 63:

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 Convergent Outsourcing, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and the mode or method in which the dialer made the call (i.e., full predictive dialing, manual dialing, or One- Click dialing).	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 64:

REQUEST	RESPONSE	RELEVANCE
13 14 15 16 17 18 19 Convergent Outsourcing, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and identity of the employee, agent, and/or user who was responsible for the call.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 65:

REQUEST	RESPONSE	RELEVANCE
23 24 25 26 27 28 Convergent Outsourcing, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call connected (i.e.,	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or

REQUEST	RESPONSE	RELEVANCE
1 2 3 whether the recipient telephone number was disconnected).		other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
4 PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 66:		
REQUEST	RESPONSE	RELEVANCE
5 6 7 8 9 10 11 Convergent Outsourcing, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
14 PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 67:		
REQUEST	RESPONSE	RELEVANCE
15 16 17 18 19 20 21 22 Convergent Outsourcing, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
24 PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 74:		
REQUEST	RESPONSE	RELEVANCE
25 26 27 28 Sunrise Credit Services Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that

REQUEST	RESPONSE	RELEVANCE	
1 2 3 4 5 6	Verizon account which list includes the time, date, and telephone number dialed. control of this responding defendant.	parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).	
7	<u>PLAINTIFF JOHN LOFTON’S REQUEST FOR ADMISSION NO. 75:</u>		
8 9 10 11 12 13 14 15 16	REQUEST Sunrise Credit Services Inc. can produce a list of Objections. Defendant further objects on the outgoing telephone calls ground that this Request is compound, made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and the mode or method in which the dialer made the call (i.e., full predictive dialing, manual dialing, or One-Click dialing).	RESPONSE Defendant incorporates its General Defendant incorporates its General ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	RELEVANCE This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).
17	<u>PLAINTIFF JOHN LOFTON’S REQUEST FOR ADMISSION NO. 76:</u>		
18 19 20 21 22 23 24 25 26 27 28	REQUEST Sunrise Credit Services Inc. can produce a list of Objections. Defendant further objects on the outgoing telephone calls ground that this Request is compound, made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and identity of the employee, agent, and/or user who was responsible for the call.	RESPONSE Defendant incorporates its General ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	RELEVANCE This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 77:

1	REQUEST	RESPONSE	RELEVANCE						
2	3	4	5	6	7	8	9	Sunrise Credit Services Inc. can produce a list of Objections. Defendant further objects on the outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call connected (i.e., whether the recipient telephone number was disconnected). Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 78:

<u>FACTORY CONNECTIONS REQUEST FOR ADMISSION NO. 16</u>			
11	REQUEST	RESPONSE	RELEVANCE
12	Sunrise Credit Services Inc. can produce a list of Objections. Defendant further objects on the outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1)
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PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 79:

PLAINTIFF JOHN LEOTTON'S REQUEST FOR ADMISSION NO. 79.			
21	REQUEST	RESPONSE	RELEVANCE
22	Sunrise Credit Services Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things
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24			
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REQUEST	RESPONSE	RELEVANCE
1	2	3 [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).
PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 80:		
REQUEST	RESPONSE	RELEVANCE
5 The CBE Group can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, and telephone number dialed.	6 Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	7 This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things 8 [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).
9	10	11
12	13	14
PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 81:		
REQUEST	RESPONSE	RELEVANCE
15 The CBE Group can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and the mode or method in which the dialer made the call (i.e., full predictive dialing, manual dialing, or One-Click dialing).	16 Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	17 This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things 18 [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).
19	20	21
22	23	24
PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 82:		
REQUEST	RESPONSE	RELEVANCE
25 The CBE Group can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which	26 Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	27 This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take 28

	REQUEST	RESPONSE	RELEVANCE
1	list includes the time, date, telephone number dialed, and identity of the employee, agent, and/or user who was responsible for the call.		discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 83:

	REQUEST	RESPONSE	RELEVANCE
8	The CBE Group can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call connected (i.e., whether the recipient telephone number was disconnected).	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 84:

	REQUEST	RESPONSE	RELEVANCE
18	The CBE Group can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).
26	//		
27	//		
28	//		

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 85:

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 The CBE Group can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 86:

REQUEST	RESPONSE	RELEVANCE
12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 Valentine & Kebartas, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, and telephone number dialed.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 87:

REQUEST	RESPONSE	RELEVANCE
22 23 24 25 26 27 28 Valentine & Kebartas, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and the mode or method in which the dialer made the call (i.e., full predictive dialing,	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 88:</u>		
REQUEST	RESPONSE	RELEVANCE
Valentine & Kebartas, Inc. can produce a list of Objections. Defendant further objects on the outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and identity of the employee, agent, and/or user who was responsible for the call.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 89:</u>		
REQUEST	RESPONSE	RELEVANCE
Valentine & Kebartas, Inc. can produce a list of Objections. Defendant further objects on the outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call connected (i.e., whether the recipient telephone number was disconnected).	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 90:</u>		
REQUEST	RESPONSE	RELEVANCE
Valentine & Kebartas, Inc. can produce a list of Objections. Defendant further objects on the outgoing telephone calls made while collecting the unpaid balance of a	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that

REQUEST	RESPONSE	RELEVANCE
1		
2	Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	control of this responding defendant.
3		
4		parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.”
5		
6		Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 91:

8	REQUEST	RESPONSE	RELEVANCE
9	Valentine & Kebartas, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter."

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 92:

18	REQUEST	RESPONSE	RELEVANCE
19	Vantage Credit Group Group, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, and telephone number dialed.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on “the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter.” Fed. R. Civ. P. 26(b)(1).
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PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 93:

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 Vantage Credit Group Group, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and the mode or method in which the dialer made the call (i.e., full predictive dialing, manual dialing, or One-Click dialing).	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 94:

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 Vantage Credit Group Group, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and identity of the employee, agent, and/or user who was responsible for the call.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 95:

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 Vantage Credit Group Group, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call connected (i.e., whether the recipient	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	telephone number was disconnected).	[containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 96:</u>		
REQUEST	RESPONSE	RELEVANCE
Vantage Credit Group Group, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 97:</u>		
REQUEST	RESPONSE	RELEVANCE
Vantage Credit Group Group, Inc. can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	Defendant incorporates its General Objections. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1).
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 98:</u>		
REQUEST	RESPONSE	RELEVANCE
Verizon can produce a list of outgoing telephone calls made while collecting the unpaid balance of a	Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and ambiguous. Defendant objects to this	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	<p>Verizon account which list includes the time, date, and telephone number dialed.</p> <p>Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that third party vendors Collecto, Inc., Valentine & Kebartas, Inc., Yantage Credit Group LLC, Sumise Credit Services, Inc., The CBE Group, Inc., and Convergent Outsourcing, Inc., may have discoverable information that relates to this request. And with respect to those third party vendors, Defendant has insufficient information to either admit or deny, and denies this request on that basis.</p> <p>Third-party-vendor GC Services called Verizon Wireless customers whose payments were late, before their telephone numbers were disconnected. All of GC's calls were to customers' telephone phone numbers, and none of those calls were made to telephone numbers that were obtained through skip tracing. To the extent that this request seeks information pertaining to GC Services, it seeks irrelevant information that is not reasonably calculated to lead to the discovery of admissible evidence, it is overly broad, and it is unduly burdensome.</p>	<p>parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1). This discovery may also be relevant to sanctions.</p>
	PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 99:	
REQUEST	RESPONSE	RELEVANCE
	<p>Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and ambiguous. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or</p>	<p>This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things</p>

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9	1 manual dialing, or One- Click dialing). Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that third party vendors Collecto, Inc., Valentine & Kebartas, Inc., Vantage Credit Group LLC, Sunrise Credit Services, Inc., The CBE Group, Inc., and Convergent Outsourcing, Inc., may have discoverable information that relates to this request. And with respect to those third party vendors, Defendant has insufficient information to either admit or deny, and denies this request on that basis. 10 Third-party-vendor GC Services called 11 Verizon Wireless customers whose 12 payments were late, before their telephone 13 numbers were disconnected. All of GC's 14 calls were to customers' telephone phone 15 numbers, and none of those calls were made 16 to telephone numbers that were obtained through skip tracing. To the extent that this request seeks information pertaining to GC Services, it seeks irrelevant information that is not reasonably calculated to lead to the discovery of admissible evidence, it is overly broad, and it is unduly burdensome.	1 [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1). This discovery may also be relevant to sanctions.
17	<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 100:</u>	

REQUEST	RESPONSE	RELEVANCE
19 20 21 22 23 24 25 26 27 28	18 19 20 21 22 23 24 25 26 27 28 Verizon can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and identity of the employee, agent, and/or user who was responsible for the call. Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and ambiguous. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant. Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that third party vendors Collecto, Inc., Valentine	18 This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1). This discovery may also be relevant to sanctions.

REQUEST	RESPONSE	RELEVANCE
1	& Kebartas, Inc., Vantage Credit Group 2 LLC, Sunrise Credit Services, Inc., The 3 CBE Group, Inc., and Convergent 4 Outsourcing, Inc., may have discoverable 5 information that relates to this request. And 6 with respect to those third party vendors, 7 Defendant has insufficient information to 8 either admit or deny, and denies this request 9 on that basis.	
10	Third-party-vendor GC Services called 11 Verizon Wireless customers whose 12 payments were late, before their telephone 13 numbers were disconnected. All of GC's 14 calls were to customers' telephone phone 15 numbers, and none of those calls were made 16 to telephone numbers that were obtained 17 through skip tracing. To the extent that this 18 request seeks information pertaining to GC 19 Services, it seeks irrelevant information that 20 is not reasonably calculated to lead to the 21 discovery of admissible evidence, it is 22 overly broad, and it is unduly burdensome.	

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 101:

REQUEST	RESPONSE	RELEVANCE	
16	Verizon can produce a 17 list of outgoing 18 telephone calls made 19 while collecting the 20 unpaid balance of a 21 Verizon account which 22 list includes the time, 23 date, telephone number 24 dialed, and whether the 25 call connected (i.e., 26 whether the recipient 27 telephone number was 28 disconnected).	Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and ambiguous. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1). This discovery may also be relevant to sanctions.
	Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that third party vendors Collecto, Inc., Valentine & Kebartas, Inc., Vantage Credit Group LLC, Sunrise Credit Services, Inc., The CBE Group, Inc., and Convergent Outsourcing, Inc., may have discoverable information that relates to this request. And with respect to those third party vendors, Defendant has insufficient information to		

REQUEST	RESPONSE	RELEVANCE
1	either admit or deny, and denies this request on that basis.	
2	3 4 5 6 7 8 9 Third-party-vendor GC Services called Verizon Wireless customers whose payments were late, before their telephone numbers were disconnected. All of GC's calls were to customers' telephone phone numbers, and none of those calls were made to telephone numbers that were obtained through skip tracing. To the extent that this request seeks information pertaining to GC Services, it seeks irrelevant information that is not reasonably calculated to lead to the discovery of admissible evidence, it is overly broad, and it is unduly burdensome.	

10 **PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 102:**

REQUEST	RESPONSE	RELEVANCE
11 12 13 14 15 16 17 Verizon can produce a list of outgoing telephone calls made while collecting the unpaid balance of a Verizon account which list includes the time, date, telephone number dialed, and whether the call was answered by a live person.	18 19 20 21 22 23 24 25 Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and ambiguous. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant. Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that third party vendors Collecto, Inc., Valentine & Kebarias, Inc., Vantage Credit Group LLC, Sunrise Credit Services, Inc., The CBE Group, Inc., and Convergent Outsourcing, Inc., may have discoverable information that relates to this request. And with respect to those third party vendors, Defendant has insufficient information to either admit or deny, and denies this request on that basis.	26 27 28 This discovery is relevant to general feasibility of class discovery. Rule 26 expressly states that parties may take discovery on "the existence, description, nature, custody, condition, and location of any documents or other tangible things [containing] any discoverable matter." Fed. R. Civ. P. 26(b)(1). This discovery may also be relevant to sanctions.
	26 27 28 Third-party-vendor GC Services called Verizon Wireless customers whose payments were late, before their telephone numbers were disconnected. All of GC's	

REQUEST	RESPONSE	RELEVANCE
1	2 calls were to customers' telephone phone 3 numbers, and none of those calls were made 4 to telephone numbers that were obtained 5 through skip tracing. To the extent that this 6 request seeks information pertaining to GC 7 Services, it seeks irrelevant information that 8 is not reasonably calculated to lead to the 9 discovery of admissible evidence, it is 10 overly broad, and it is unduly burdensome.	11

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 103:

REQUEST	RESPONSE	RELEVANCE	
8	9 Verizon can produce a 10 list of outgoing 11 telephone calls made 12 while collecting the 13 unpaid balance of a 14 Verizon account which 15 list includes the time, 16 date, telephone number 17 dialed, and whether the 18 call was answered by a 19 live person.	20 Initial Response, dated August 26, 2014: 21 Defendant incorporates its General 22 Objections. Defendant objects to this 23 request on the grounds it is vague and 24 ambiguous. Defendant objects to this 25 request on the grounds it seeks irrelevant 26 information and is not reasonably calculated 27 to lead to the discovery of admissible 28 evidence. Defendant further objects on the ground that this Request is compound, ambiguous, and calls for information that is not within the possession, custody, or control of this responding defendant.	29 This discovery is 30 relevant to general 31 feasibility of class 32 discovery. Rule 26 33 expressly states that 34 parties may take 35 discovery on "the 36 existence, description, 37 nature, custody, 38 condition, and location 39 of any documents or 40 other tangible things 41 [containing] any 42 discoverable matter." 43 Fed. R. Civ. P. 26(b)(1). 44 This discovery may also 45 be relevant to sanctions.
13	14 Supplemental Response, dated 15 September 10, 2014: 16 Without waiving its August 26, 2014 17 objections, Verizon Wireless responds that 18 third party vendors Collecto, Inc., Valentine 19 & Kebartas, Inc., Vantage Credit Group 20 LLC, Sunrise Credit Services, Inc., The 21 CBE Group, Inc., and Convergent 22 Outsourcing, Inc., may have discoverable 23 information that relates to this request. And 24 with respect to those third party vendors, 25 Defendant has insufficient information to 26 either admit or deny, and denies this request 27 on that basis.	28	
23	24 Third-party-vendor GC Services called 25 Verizon Wireless customers whose 26 payments were late, before their telephone 27 numbers were disconnected. All of GC's 28 calls were to customers' telephone phone numbers, and none of those calls were made to telephone numbers that were obtained through skip tracing. To the extent that this request seeks information pertaining to GC Services, it seeks irrelevant information that is not reasonably calculated to lead to the		

REQUEST	RESPONSE	RELEVANCE
1	2 discovery of admissible evidence, it is overly broad, and it is unduly burdensome.	
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 104:</u>		
REQUEST	RESPONSE	RELEVANCE
5 Verizon's counsel knew in 2012 that Verizon's debt collectors could produce a list of outgoing telephone calls.	6 Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and ambiguous. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request on the grounds it seeks information subject to the attorney-client privilege, joint defense privilege and work product doctrine.	7 This discovery may be relevant to sanctions.
8	9	10
11	<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 105:</u>	
REQUEST	RESPONSE	RELEVANCE
13 Verizon's counsel knew in 2013 that Verizon's debt collectors could produce a list of outgoing telephone calls.	14 Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and ambiguous. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request on the grounds it seeks information subject to the attorney-client privilege, joint defense privilege and work product doctrine.	15 This discovery may be relevant to sanctions.
16	17	18
19	<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 106:</u>	
REQUEST	RESPONSE	RELEVANCE
21 Verizon's counsel knew in 2014 that Verizon's debt collectors could produce a list of outgoing telephone calls.	22 Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and ambiguous. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request on the grounds it seeks information subject to the attorney-client privilege, joint defense privilege and work product doctrine.	23 This discovery may be relevant to sanctions.
24	25	26
27 //	28 //	

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 107:**REQUEST** **RESPONSE** **RELEVANCE**

Verizon knew in 2012 that its debt collectors could produce a list of outgoing telephone calls.

Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and ambiguous. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request on the grounds it seeks information subject to the attorney-client privilege, joint defense privilege and work product doctrine.

Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that third party vendors Collecto, Inc., Valentine & Kebartas, Inc., Vantage Credit Group LLC, Sunrise Credit Services, Inc., The CBE Group, Inc., and Convergent Outsourcing, Inc., may have discoverable information that relates to this request. And with respect to those third party vendors, Defendant has insufficient information to either admit or deny, and denies this request on that basis.

Third-party-vendor GC Services called Verizon Wireless customers whose payments were late, before their telephone numbers were disconnected. All of GC's calls were to customers' telephone phone numbers, and none of those calls were made to telephone numbers that were obtained through skip tracing. GC Services did not make any calls on behalf of Verizon Wireless in 2012. To the extent that this request seeks information pertaining to GC Services, it seeks irrelevant information that is not reasonably calculated to lead to the discovery of admissible evidence, it is overly broad, and it is unduly burdensome.

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 108:**REQUEST** **RESPONSE** **RELEVANCE**

Verizon knew in 2013 that its debt collectors could produce a list of outgoing telephone

Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and

REQUEST	RESPONSE	RELEVANCE
1 calls.	2 ambiguous. Defendant objects to this 3 request on the grounds it seeks irrelevant 4 information and is not reasonably calculated 5 to lead to the discovery of admissible evidence. Defendant objects to this request on the grounds it seeks information subject to the attorney-client privilege, joint defense privilege and work product doctrine.	
6	Supplemental Response, dated September 10, 2014: 7 Without waiving its August 26, 2014 8 objections, Verizon Wireless responds that 9 third party vendors Collecto, Inc., Valentine 10 & Kebartas, Inc., Vantage Credit Group 11 LLC, Sunrise Credit Services, Inc., The 12 CBE Group, Inc., and Convergent 13 Outsourcing, Inc., may have discoverable 14 information that relates to this request. And 15 with respect to those third party vendors, 16 Defendant has insufficient information to 17 either admit or deny, and denies this request 18 on that basis.	
19	20 Third-party-vendor GC Services called 21 Verizon Wireless customers whose 22 payments were late, before their telephone 23 numbers were disconnected. All of GC's 24 calls were to customers' telephone phone 25 numbers, and none of those calls were made 26 to telephone numbers that were obtained 27 through skip tracing. To the extent that this 28 request seeks information pertaining to GC Services, it seeks irrelevant information that is not reasonably calculated to lead to the discovery of admissible evidence, it is overly broad, and it is unduly burdensome. Without waiving said objections, and with respect to third party vendor GC Services only, Defendant responds as follows: Admit.	

PLAINTIFF JOHN LOFTON'S REQUEST FOR ADMISSION NO. 109:

REQUEST	RESPONSE	RELEVANCE
25 Verizon knew in 2014 26 that its debt collectors 27 could produce a list of 28 outgoing telephone calls.	Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it is vague and ambiguous. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated	This discovery may be relevant to sanctions.

REQUEST	RESPONSE	RELEVANCE	
1	2 to lead to the discovery of admissible 3 evidence. Defendant objects to this request 4 on the grounds it seeks information subject 5 to the attorney-client privilege, joint defense 6 privilege and work product doctrine.		
7	8 Supplemental Response, dated 9 September 10, 2014: 10 Without waiving its August 26,2014 11 objections, Verizon Wireless responds that 12 third party vendors Collecto, Inc., Valentine 13 & Kebartas, Inc., Vantage Credit Group 14 LLC, Sumise Credit Services, Inc., The 15 CBE Group, Inc., and Convergent 16 Outsourcing, Inc., may have discoverable 17 information that relates to this request. And 18 with respect to those third party vendors, 19 Defendant has insufficient information to 20 either admit or deny, and denies this request 21 on that basis.		
22	23 Third-party-vendor GC Services called 24 Verizon Wireless customers whose 25 payments were late, before their telephone 26 numbers were disconnected. All of GC's 27 calls were to customers' telephone phone 28 numbers, and none of those calls were made to telephone numbers that were obtained through skip tracing. GC Services did not make any calls on behalf of Verizon Wireless in 2012. To the extent that this request seeks information pertaining to GC Services, it seeks irrelevant information that is not reasonably calculated to lead to the discovery of admissible evidence, it is overly broad, and it is unduly burdensome. Without waiving said objections, and with respect to third party vendor GC Services only, Defendant responds as follows: Admit.		
29	PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO. 45:		
REQUEST	RESPONSE	RELEVANCE	
30	31 Recordings of telephone calls made by Verizon debt collectors to California residents who are not current or former Verizon subscribers while collecting the unpaid balance of a	32 Defendant incorporates its General Objections. Defendant objects to this request on the grounds it seeks records not within the possession, custody or control of this defendant. Defendant objects to this request on the grounds it infringes on the privacy of third parties. Defendant objects to this request on the grounds that it is	33 This discovery is relevant to liability and class certification of Lofton's Invasion of Privacy Act claims.

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 Verizon account from September 2010 to the present.	overbroad and unduly burdensome. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence.	
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO. 48:</u>		
REQUEST	RESPONSE	RELEVANCE
Documents sufficient for Lofton to unambiguously and definitively identify all of the following information, for each telephone call made by Verizon debt collectors while collecting the unpaid balance of a Verizon account from June 2008 to the present:	Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request and its nine sub-parts on the ground that these questions call for information that is not within the possession, custody or control of this defendant. Defendant objects to this request and its nine sub-parts on the ground that these questions, as framed, are overly broad, unduly burdensome, call for information that is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence, and on the ground that the requested information infringes on the privacy rights of third parties. Defendant objects to demands for production 48, 48(d), and 48(i) on the grounds that they are vague, compound, and ambiguous. Defendant objects to this request and its nine sub-parts on the ground that the alleged TCPA class runs from November 2009, not from June 2008.	This discovery is relevant to liability and class certification. A complete answer to RPD No. 48 will permit Lofton to identify the telephone numbers which class members used when Verizon and/or its debt collectors called.
a. the telephone number called; b. the date and time of the telephone call; c. the dialer used to make the call; d. the mode or method the dialer used to make the call (i.e., full predictive dialing, manual dialing, or One-Click dialing); e. the identity of the employee, agent, and/or user who was responsible for the call; f. whether the call connected (i.e., whether the recipient telephone number was disconnected); g. whether the call was answered by a live person; h. whether the call	Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that the following vendors may possess responsive records: Collecto, Inc., 700 Longwater Drive, Norwell, MA 02061; Valentine & Kebartas, Inc., 15 Union Street, Lawrence, MA 01840; Vantage Credit Group LLC, 328 Ross Clark Circle, Dothan, AL 36303; Sunrise Credit Services, Inc., 280 Airport Plaza, Farmington, NY 11735; The CBE Group, Inc., 1309 Technology Parkway, Cedar Falls, IA 50613; Convergent Outsourcing, Inc., 800 SW 39th Street, Renton, WA 98055. Third-party-vendor GC Services called Verizon Wireless customers whose payments were late, before their telephone	

REQUEST	RESPONSE	RELEVANCE
1 2 3 4 5 6 7 8 9 10	i. was recorded; and whether the debt collector identified the recipient telephone number as a "bad" or "wrong" number. <i>Account notes (or any other documents) are not an acceptable responsive production unless they are produced in a format that unambiguously and definitively identify all the information stated above.</i>	numbers were disconnected. All of GC's calls were to customers' telephone numbers, and none of those calls were made to telephone numbers that were obtained through skip tracing. To the extent that this request seeks records pertaining to GC Services, it seeks irrelevant information that is not reasonably calculated to lead to the discovery of admissible evidence, it is overly broad, and it is unduly burdensome.
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO. 49:</u>		
REQUEST	RESPONSE	RELEVANCE
11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	All documents which support any contention that the dialers Verizon's debt collectors used to make telephone calls while collecting the unpaid balance of a Verizon account from June 2008 to the present do not constitute automatic telephone dialing systems under 47 U.S.C. § 227(a)(1). Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it seeks records not within the possession, custody or control of this defendant. Defendant objects to this request on the grounds it seeks confidential and proprietary information. Defendant objects to this request on the grounds that it is overbroad and unduly burdensome. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request on the ground that the alleged TCPA class runs from November 2009, not from June 2008. Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that the following vendors may possess responsive records: Collecto, Inc., 700 Longwater Drive, Norwell, MA 02061; Valentine & Kebartas, Inc., 15 Union Street, Lawrence, MA 01840; Vantage Credit Group LLC, 328 Ross Clark Circle, Dothan, AL 36303; Sunrise Credit Services, Inc., 280 Airport Plaza, Farmington, NY	This discovery is relevant to liability and class certification of Lofton's Telephone Consumer Protection Act claims.

REQUEST	RESPONSE	RELEVANCE									
1	2 11735; The CBE Group, Inc., 1309 Technology Parkway, Cedar Falls, IA 3 50613; Convergent Outsourcing, Inc., 800 SW 39th Street, Renton, WA 98055. With 4 respect to Collecto, please see also: COL0001-3; EOS00011-475.										
5	6 Third-party-vendor GC Services called 7 Verizon Wireless customers whose payments were late, before their telephone 8 numbers were disconnected. All of GC's calls were to customers' telephone phone 9 numbers, and none of those calls were made to telephone numbers that were obtained through skip tracing. To the extent that this 10 request seeks records pertaining to GC Services, it seeks irrelevant information that 11 is not reasonably calculated to lead to the discovery of admissible evidence, it is overly broad, and it is unduly burdensome.										
PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO. 50:											
<table border="1"> <thead> <tr> <th>REQUEST</th><th>RESPONSE</th><th>RELEVANCE</th></tr> </thead> <tbody> <tr> <td>14 All documents which support any contention that the dialers 15 Verizon's debt 16 collectors used to make telephone calls while collecting the unpaid balance of a Verizon account from June 2008 to the present do not constitute predictive dialers, as that term is used in <i>In the Matter of Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, 2003 Report and Order</i>, CG Docket No. 02-278, FCC 03-153, ¶ 131, 18 FCC Rcd. 14014, 14092, 2003 WL 21517853, *46 (July 3, 2003).</td><td>17 Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it seeks records not within the possession, custody or control of this defendant. Defendant objects to this request on the grounds it seeks confidential and proprietary information. Defendant objects to this request on the grounds that it is overbroad and unduly burdensome. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request on the ground that the alleged TCPA class runs from November 2009, not from June 2008. 18 19 20 21 22 23 24 25 26 27 28</td><td>29 This discovery is relevant to liability and class certification of Lofton's Telephone Consumer Protection Act claims.</td></tr> <tr> <td colspan="2"> Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that the following vendors may have additional information: Collecto, Inc., 700 Longwater Drive, Norwell, MA 02061; Valentine & Kebartas, Inc., 15 Union Street, Lawrence, MA 01840; Vantage Credit Group LLC, 328 Ross Clark Circle, Dothan, AL 36303; </td><td></td></tr> </tbody> </table>			REQUEST	RESPONSE	RELEVANCE	14 All documents which support any contention that the dialers 15 Verizon's debt 16 collectors used to make telephone calls while collecting the unpaid balance of a Verizon account from June 2008 to the present do not constitute predictive dialers, as that term is used in <i>In the Matter of Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, 2003 Report and Order</i> , CG Docket No. 02-278, FCC 03-153, ¶ 131, 18 FCC Rcd. 14014, 14092, 2003 WL 21517853, *46 (July 3, 2003).	17 Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds it seeks records not within the possession, custody or control of this defendant. Defendant objects to this request on the grounds it seeks confidential and proprietary information. Defendant objects to this request on the grounds that it is overbroad and unduly burdensome. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request on the ground that the alleged TCPA class runs from November 2009, not from June 2008. 18 19 20 21 22 23 24 25 26 27 28	29 This discovery is relevant to liability and class certification of Lofton's Telephone Consumer Protection Act claims.	Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that the following vendors may have additional information: Collecto, Inc., 700 Longwater Drive, Norwell, MA 02061; Valentine & Kebartas, Inc., 15 Union Street, Lawrence, MA 01840; Vantage Credit Group LLC, 328 Ross Clark Circle, Dothan, AL 36303;		
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REQUEST	RESPONSE	RELEVANCE
1	Sunrise Credit Services, Inc., 280 Airport Plaza, Farmington, NY 11735; The CBE Group, Inc., 1309 Technology Parkway, Cedar Falls, IA 50613; Convergent Outsourcing, Inc., 800 SW 39th Street, Renton, WA 98055. With respect to Collecto, please see these responsive records: COL00001-3; EOS00011-475.	
2	Third-party-vendor GC Services called Verizon Wireless customers whose payments were late, before their telephone numbers were disconnected. All of GC's calls were to customers' telephone phone numbers, and none of those calls were made to telephone numbers that were obtained through skip tracing. To the extent that this request seeks records pertaining to GC Services, it seeks irrelevant information that is not reasonably calculated to lead to the discovery of admissible evidence, it is overly broad, and it is unduly burdensome.	
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO. 53:</u>		
13	14	15
REQUEST	RESPONSE	RELEVANCE
16	17	18
All documents which are referenced in any disclosure by Verizon under Rule 26(a)(1).	Defendant incorporates its General Objections. Defendant objects to this request on the grounds that it is overbroad and unduly burdensome. Defendant objects to this request on the grounds it seeks confidential and proprietary information. Defendant objects to this request on the grounds it infringes on the privacy rights of third parties. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence.	This discovery is relevant to liability, damages, and class certification.
19	20	21
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO. 54:</u>		
22	23	24
REQUEST	RESPONSE	RELEVANCE
25	26	27
All documents which Rule 26(a)(1) requires Verizon to disclose.	Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds that it is overbroad and unduly burdensome. Defendant objects to this request on the grounds it seeks confidential and proprietary information.	This discovery is relevant to liability, damages, and class certification.
28		

REQUEST	RESPONSE	RELEVANCE	
1	2 Defendant objects to this request on the 3 grounds it infringes on the privacy rights of 4 third parties. Defendant objects to this 5 request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request on the grounds it is premature.		
Supplemental Response, dated September 10, 2014:			
Without waiving its August 26, 2014 objections, Verizon Wireless responds that it will produce all records and documents as required by Rule 26.			
9	PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO.		
10	56:		
REQUEST	RESPONSE	RELEVANCE	
11	12 The document named 13 “Verizon bad phone 14 search.csv” referenced 15 in the August 8, 2013 16 email from Ryan 17 Grimes to Peter Cappola and Richard Gilbertson, 18 which email is produced 19 as COL000292.	20 Defendant incorporates its General 21 Objections. Defendant objects to this 22 request on the grounds it seeks records not 23 within the possession, custody or control of 24 this defendant. Defendant objects to this 25 request on the grounds that it is overbroad 26 and unduly burdensome. Defendant objects 27 to this request on the grounds it seeks 28 confidential and proprietary information. Defendant objects to this request on the grounds it infringes on the privacy rights of third parties. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence..	29 This discovery is 30 relevant to liability and 31 class certification of 32 Lofton’s Telephone 33 Consumer Protection 34 Act claims. This 35 discovery may also be 36 relevant to sanctions 37 relating to Verizon’s 38 document production 39 EOS491-95. (Cf. ECF 40 No. 119-2 ¶¶18-23.)
20	PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO.		
21	57:		
REQUEST	RESPONSE	RELEVANCE	
22	23 All communications 24 between Collecto and 25 Ryan Grimes between 26 June 2012 and the 27 present which concern 28 locating, identifying, searching for, or producing, account notes with a telephone number that has been designated with a “B.”	29 Defendant incorporates its General 30 Objections. Defendant objects to this 31 request on the grounds it seeks records not 32 within the possession, custody or control of 33 this defendant. Defendant objects to this 34 request on the grounds that it is overbroad 35 and unduly burdensome. Defendant objects 36 to this request on the grounds it seeks 37 confidential and proprietary information. Defendant objects to this request on the 38 grounds it infringes on the privacy rights of 39 third parties. Defendant objects to this 40 request on the grounds it seeks irrelevant 41 information and is not reasonably calculated 42 to lead to the discovery of admissible 43 evidence..	44 This discovery is 45 relevant to liability and 46 class certification of 47 Lofton’s Telephone 48 Consumer Protection 49 Act claims. This 50 discovery may also be 51 relevant to sanctions 52 relating to Verizon’s 53 document production 54 EOS491-95.

REQUEST	RESPONSE	RELEVANCE
1	2	3
4	5	6
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO. 58:</u>		
REQUEST	RESPONSE	RELEVANCE
7 All communications between Collecto and Ryan Grimes between June 2012 and the present which concern locating, identifying, searching for, or producing, telephone numbers that have been designated as a wrong number.	8 Defendant incorporates its General Objections. Defendant objects to this request on the grounds it seeks records not within the possession, custody or control of this defendant. Defendant objects to this request on the grounds that it is overbroad and unduly burdensome. Defendant objects to this request on the grounds it seeks confidential and proprietary information. Defendant objects to this request on the grounds it infringes on the privacy rights of third parties. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence.	9 This discovery is relevant to liability and class certification of Lofton's Telephone Consumer Protection Act claims. This discovery may also be relevant to sanctions relating to Verizon's document production EOS491-95. (Cf. ECF No. 119-2 ¶¶18-23.)
10	11	12
13	14	15
16	17	18
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO. 60:</u>		
REQUEST	RESPONSE	RELEVANCE
19 All documents which support any contention that cellular carriers providing cellular service to California residents cannot determine whether such California residents were in California at the time they received a particular call.	20 Initial Response, dated August 26, 2014: Defendant incorporates its General Objections. Defendant objects to this request on the grounds that it is overbroad and unduly burdensome. Defendant objects to this request on the grounds it seeks confidential and proprietary information. Defendant objects to this request on the grounds it infringes on the privacy rights of third parties. Defendant objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence.	21 This discovery is relevant to liability and class certification of Lofton's claims under the Invasion of Privacy Act.
22	23	24
25	26	27
28	29	30
Supplemental Response, dated September 10, 2014: Without waiving its August 26, 2014 objections, Verizon Wireless responds that cell tower data is kept for about 90 days, and that those records are irrelevant and are		

REQUEST	RESPONSE	RELEVANCE
1	2 not reasonably calculated to lead to the discovery of admissible evidence.	
3 PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO.		
4 62:		
REQUEST	RESPONSE	RELEVANCE
5 All documents concerning, evidencing, or constituting	6 This request is objected to on the ground that it is overly broad, unduly burdensome, 7 requests records that are irrelevant and that are not reasonably calculated to lead to the 8 Collecto, Inc.'s services, discovery of admissible evidence, and 9 and any cause, basis, 10 reason, or justification 11 for such termination, 12 including any partial or 13 contributing cause, 14 basis, reason, or 15 justification for such 16 termination.	17 This discovery is 18 relevant to liability.
19 PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO.		
20 63:		
REQUEST	RESPONSE	RELEVANCE
21 All documents filed, 22 served, or produced by 23 either party in <i>Powell v. 24 Collecto, Inc.</i> , No. 1:10- 25 cv-3709 (N.D. Ill.) 26 ("Powell"), as well as 27 all communications to 28 or from Collecto which concern Powell including, by way of example, but without limitation, all communications with the plaintiff or plaintiff's counsel in Powell, all communications between Collecto, Inc. and Verizon concerning Powell, and all Verizon's communications with any third party	29 Verizon Wireless incorporates its general objections. 30 Verizon Wireless further objects to this request on the grounds it is overbroad and unduly burdensome, calls for production of documents that are privileged and confidential under the attorney-client privilege and/or the attorney work product privilege, and calls for production of documents that Collecto will not produce because they are privileged and confidential under the attorney-client privilege and/or the attorney work product privilege and joint defense privilege. 31 Verizon Wireless further objects to this request on the grounds it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence, on the grounds it infringes on the privacy rights of third parties, and on the ground that the requested documents are not	32 This discovery is 33 relevant to liability and class certification of Lofton's claims under the Invasion of Privacy Act.

REQUEST	RESPONSE	RELEVANCE
1 concerning <i>Powell</i> .	2 within the possession, custody, or control of 3 Verizon Wireless. All documents that were 4 filed are available through PACER, and 5 they are equally available to Plaintiff. 6 Verizon Wireless asserts that Plaintiff is not 7 prejudiced by the foregoing objections as 8 Collecto reports that it will produce 9 responsive documents in <i>In re Collecto, Inc.</i> 10 <i>Telephone Consumer Protection Act</i> 11 (<i>TCPA</i>) <i>Litigation</i> , No. MDL 14-md-2513- 12 RGS.	13
<u>PLAINTIFF JOHN LOFTON'S REQUEST FOR PRODUCTION OF DOCUMENTS NO. 64:</u>		
REQUEST	RESPONSE	RELEVANCE
10 All documents 11 concerning any 12 communication 13 regarding this case or <i>In re Collecto, Inc.</i> 14 <i>Telephone Consumer</i> 15 <i>Protection Act (TCPA)</i> 16 <i>Litigation</i> , No. MDL 17 14-md-2513-RGS . . . 18 between Verizon and 19 any other person, excluding Plaintiff, Plaintiff's attorneys, or Verizon's attorneys.	20 Verizon Wireless incorporates its general 21 objections. 22 Verizon Wireless declines to produce 23 responsive documents that are privileged 24 and confidential under the attorney-client 25 privilege and/or the attorney work product 26 privilege and joint defense privilege. Those 27 privileged and confidential documents 28 include all correspondence and emails between and among counsel for Verizon Wireless, for Collecto, and for other Verizon Wireless vendors. The term, "this subpoena," is vague and unintelligible. Without waiving said objections, Defendant will produce all responsive documents between Verizon and Level 3. See documents bates stamped VER0005964- VER0005989	29 This discovery is 30 relevant to liability and 31 class discovery. Rule 26 32 expressly states that 33 parties may take 34 discovery on "the 35 existence, description, 36 nature, custody, 37 condition, and location 38 of any documents or 39 other tangible things 40 [containing] any 41 discoverable matter." 42 Fed. R. Civ. P. 26(b)(1). 43 This discovery may also 44 be relevant to sanctions (<i>Cf.</i> ECF No. 119-2 ¶42-46.)
21 Dated: March 31, 2015	22 By: <u>/s/Ethan Preston</u> 23 Ethan Preston 24 25 David C. Parisi (162248) 26 Suzanne Havens Beckman (188814) 27 PARISI & HAVENS LLP 28 212 Marine Street, Suite 100 Santa Monica, California 90405 (818) 990-1299 (telephone) (818) 501-7852 (facsimile) deparisi@parisihavens.com shavens@parisihavens.com 29 30 Ethan Preston (263295) 31 PRESTON LAW OFFICES	32

4054 McKinney Avenue, Suite 310
Dallas, Texas 75204
(972) 564-8340 (telephone)
(866) 509-1197 (facsimile)
ep@eplaw.us

*Attorneys for Plaintiff John Lofton,
on his own behalf, and behalf of all
others similarly situated*